

### REMARKS

This is a response to the Office Action mailed January 13, 2004. Claims 1-18 and 28-38 will be pending upon entry of the present amendment. Claim 28 is being amended.

### Allowable Subject Matter

The applicants appreciate the indication that claims 4-8, 10-18, 30-32, and 34-38 are directed to allowable subject matter. Claims 5, 7, 10, 13, 17, 31, 34 and 38 have been placed in independent form and are thus ready to be allowed.

### Rejections Under 35 U.S.C. §102

Claims 1-3, 9, 28-29, and 33 are rejected under 35 U.S.C. §102(b) as being anticipated under Bechtold et al. (U.S. Patent 6,128,523).

Bechtold is generally directed towards an apparatus for fixing a female breast during medical procedures. The apparatus taught by Bechtold comprises a first tank 20, a second tank 26, a partition 16 positioned between the first tank 20 and the second tank 26, and a fixing diaphragm 15 (Fig. 3; col. 6, line 57 - col. 7, line 10).

Bechtold fails to disclose the features of claim 1. Claim 1 recites, *intra alia*, “a third tank positioned intermediate the first and second tanks and adapted to receive the portion of the patient anatomy to be imaged ... .” Figure 3, as reproduced in the Office Action, clearly shows the breast 10 being received in the “second tank.” As such, the “third tank” of Bechtold, is not adapted to receive the portion of the patient anatomy as recited by claim 1. The “second tank”, while adapted to receive the portion of the patient anatomy, is not positioned intermediate between the other “tanks.” Therefore, Bechtold does not disclose any such “third tank” that is both intermediate a first and a second tank, as well as, adapted to receive a portion of the patient anatomy. Accordingly, Bechtold does not anticipate claim 1, and claim 1 is thus allowable.

Claim 28 has been amended to recite, *intra alia*, “the second tank being positioned intermediate between the first tank and a third tank; receiving the portion of the patient anatomy to be imaged in the second tank ... .” For the reasons discussed above, Bechtold does not disclose such a tank that is both positioned between two other tanks, as well as, adapted

to receive a portion of the patient anatomy. Accordingly, Bechtold does not anticipate claim 28, and claim 28 is thus allowable.

Conclusion

Overall, none of the references disclose what is recited in the independent claims. Thus, given the above amendments and accompanying remarks, the independent claims are now in condition for allowance. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable.

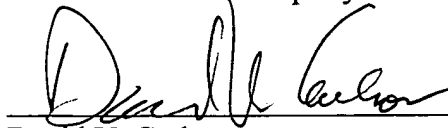
If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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